IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

WRIT PETITION NO.1705 OF 2004

Ram Shankar Gupta. ...Petitioner.
Vs.
The Maharashtra Housing and Area
Development Authority. ...Respondents.

....

Mr. R.V. Govilkar for the Petitioner.
Mr. G. W. Mattos, AGP for Respondents.

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CORAM : DALVEER BHANDARI, C.J. &
DR.D.Y.CHANDRACHUD, J.

September 7, 2004.

P.C.:

We have heard the learned counsel appearing for the parties. By the order 25th September 2003, the petitioner has been banned from submitting tenders floated by the respondents for the period from 25th September 2003 to 24th September 2006. The petitioner and the respondents have their own explanations for banning the petitioner for submitting the tenders. Without going into detailed reasons submitted by the petitioner and the respondents, in our considered opinion, in consonance with the principles of natural justice, show cause notice or hearing ought to

have been given to the petitioner. In the peculiar facts and circumstances of the case, we direct that the order dated 25th September 2003 be construed as an order of suspension and within two months from today, the respondents agree to give hearing to the petitioner and pass a reasoned order. The learned counsel appearing for the petitioner undertakes that the petitioner shall appear before respondent No.3 on 15th September 2004 at 11 a.m. in his office. No further directions are necessary. The writ petition is accordingly disposed of.

CHIEF JUSTICE

DR.D.Y.CHANDRACHUD, J.